

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Pamela L. Orlowski
Debtor(s)

Bankruptcy Case No.: 20-21514-JAD
Issued Per 11/19/2020 Proceeding
Chapter: 13
Docket No.: 55 – 5, 23
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 13, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 3 of Beaver County Tax Claim Bureau .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel. Attorney fees based on retainer of \$750.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: November 20, 2020

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Pamela L. Orłowski
Debtor(s)

Case No. 20-21514-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Nov 23, 2020

User: msch
Form ID: 149

Page 1 of 3
Total Noticed: 39

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 25, 2020:

Recip ID	Recipient Name and Address
db	+ Pamela L. Orłowski, 534 Pine Street, Ambridge, PA 15003-1708
cr	+ Beaver County Tax Claim Bureau, Beaver County Courthouse, 810 Third Street, Beaver, PA 15009-2100
cr	+ Santander Consumer USA Inc., PO Box 961245, Fort Worth, TX 76161-0244
15241366	+ Ambridge Borough, ATTN: Stacey Krol, 600 Eleventh Street, Ambridge, PA 15003-2377
15241367	+ Ambridge School District, ATTN: Stacey Krol, 600 Eleventh Street, Ambridge, PA 15003-2377
15241368	+ Beaver County Tax Claim Bureau, 810 3rd Street, Beaver, PA 15009-2139
15241376	++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, DSNB/Macy's, PO Box 8218, Mason, OH 45040
15241374	+ David Bucka Jr., 534 Pine Street, Ambridge, PA 15003-1708
15248834	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
15241381	+ Midland Credid Management Inc, 320 East Big Beaver, Suite 300, Troy, MI 48083-1271
15257499	+ Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15241382	++ NISSAN MOTOR ACCEPTANCE CORPORATION, LOSS RECOVERY, PO BOX 660366, DALLAS TX 75266-0366 address filed with court:, Nissan-Infiniti LT, 8900 Freeport Pkwy, Irving, TX 75063
15257493	+ Nissan-Infiniti LT, PO Box 9013, Addison, Texas 75001-9013
15245000	+ SANTANDER CONSUMER USA, P.O. Box 560284, Dallas, TX 75356-0284
15241384	+ Santander Consumer USA, Attention: Bankruptcy Dept., PO Box 560284, Dallas, TX 75356-0284
15241387	+ TD Bank USA/Target Credit, NCD-0450, PO Box 1470, Minneapolis, MN 55440-1470
15241388	+ Weltman, Weinberg & Reis, William Thomas Molczan, Esquire, 436 7th Avenue, Suite 2500, Pittsburgh, PA 15219-1842

TOTAL: 17

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15245530	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 24 2020 01:34:04	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15241369	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 24 2020 01:35:08	Capital One Bank USA, N.A., PO Box 30281, Salt Lake City, UT 84130-0281
15241370	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 24 2020 01:34:04	Capital One/Justice, PO Box 30253, Salt Lake City, UT 84130-0253
15241371	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 24 2020 01:56:00	Comenity Bank/VCTRSSEC, PO Box 182789, Columbus, OH 43218-2789
15241372	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 24 2020 01:56:00	Comenity Capital Bank, Bankruptcy Department, PO Box 183043, Columbus, OH 43218-3043
15241373	+ Email/PDF: creditonebknofications@resurgent.com	Nov 24 2020 01:33:03	Credit One Bank, PO Box 98872, Las Vegas, NV 89193-8872
15264029	Email/Text: bnc-quantum@quantum3group.com	Nov 24 2020 01:56:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
15241375	+ Email/Text: electronicbkydocs@nelnet.net	Nov 24 2020 01:57:00	Dept of Ed/Nelnet, PO Box 82561, Lincoln, NE

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15266766	+ Email/Text: kburkley@bernsteinlaw.com	Nov 24 2020 01:57:00	68501-2561 Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15241377	+ Email/Text: bknotice@ercbpo.com	Nov 24 2020 01:57:00	Enhanced Recovery Corporation, PO Box 57547, Jacksonville, FL 32241-7547
15255546	Email/Text: JCAP_BNC_Notices@jcap.com	Nov 24 2020 01:57:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15241378	Email/Text: JCAP_BNC_Notices@jcap.com	Nov 24 2020 01:57:00	Jefferson Capital Systems, LLC, 16 McLeland Road, Saint Cloud, MN 56303
15241379	Email/PDF: ais.chase.ebn@americaninfosource.com	Nov 24 2020 01:34:03	JPMCB Card Services, PO Box 15369, Wilmington, DE 19850
15241380	+ Email/PDF: resurgentbknotifications@resurgent.com	Nov 24 2020 01:33:05	LVNV Funding LLC, c/o Resurgent Capital Services, PO Box 1269, Greenville, SC 29602-1269
15243431	Email/PDF: resurgentbknotifications@resurgent.com	Nov 24 2020 01:33:05	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15241383	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 24 2020 01:33:04	Portfolio Recovery Associates, 120 Corporate Blvd, Suite 100, Norfolk, VA 23502
15268213	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 24 2020 01:35:09	Portfolio Recovery Associates, LLC, POB 12914, Norfolk, VA 23541
15259591	Email/Text: bnc-quantum@quantum3group.com	Nov 24 2020 01:56:00	Quantum3 Group LLC as agent for, Second Round Sub LLC, PO Box 788, Kirkland, WA 98083-0788
15241386	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:34:02	SYNCB/American Eagle, PO Box 965005, Orlando, FL 32896-5005
15241385	+ Email/Text: bankruptcy@sccompanies.com	Nov 24 2020 01:57:00	Swiss Colony/Montgomery Ward, 1515 S 21st Street, Clinton, IA 52732-6676
15263896	+ Email/PDF: gecsed@recoverycorp.com	Nov 24 2020 01:35:06	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15254071	+ Email/Text: bncmail@w-legal.com	Nov 24 2020 01:57:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

TOTAL: 22

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Nissan-Infiniti LT
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

District/off: 0315-2

User: msch

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Date: Nov 25, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 20, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Nissan-Infiniti LT bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Debtor Pamela L. Orłowski bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@thompsonattorney.com;jcastello@thompsonattorney.com;kbelko@thompsonattorney.com
J. Philip Colavincenzo	on behalf of Creditor Beaver County Tax Claim Bureau colavincenzolaw@verizon.net
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
William E. Craig	on behalf of Creditor Santander Consumer USA Inc. ecfmil@mortoncraig.com mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 7